ORDER OD – 4

IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION (INCOME TAX)
ORIGINAL SIDE

ITA/251/2009

COMMISSIONER OF INCOME TAX, KOLKATA – I
VERSUS
SALARPURIA PROPERTIES (P) LIMITED

BEFORE:

The Hon'ble Justice SURYA PRAKASH KESARWANI
The Hon'ble Justice RAJARSHI BHARADWAJ

Date : 28th November 2023.

Appearance:

Mr. Om Narayan Rai, Advocate
Mr. Prithu Dudheria, Advocate
... for appellant.

Ms. Swapna Das, Advocate
Mr. P. Jhunjhunwala, Advocate
... for respondent.

Both the learned counsel for the parties jointly state that the interest payable to the assessee was Rs.1,46,402/-. Interest on interest was directed to be paid on delayed payment. Interest on interest has been paid to the assessee pursuant to an order passed by the assessing officer under Section 143(3) of the Income Tax Act, 1961.

In view of the statements made by the learned counsel for the parties on facts, we find that the disputed amount / tax effect is less than the limit specified by Circular No.17/2019 dated 08.08.2019 issued by the Government of India, Ministry of Finance, Department of Revenue, Central Board Direct Taxes. Therefore, this appeal having been filed by the Revenue despite tax effect being below the monetary limit fixed for filing appeal; deserves to be dismissed.

For the reasons afore-stated, the appeal is dismissed.

(SURYA PRAKASH KESARWANI, J.)

(RAJARSHI BHARADWAJ, J.)

s. kumar